

ORIGINAL

FOR RETURN

AO 440 (Rev. 8/81) / WVND (02/07) Summons in a Civil Action

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

AT WHEELING

Progressive Minerals LLC,

Plaintiff,

v.

Muhammad Haroon Rashid, Gerald D.
Hendrix, David M. Bernstein, John Douglas
Reynolds, John C. Crosbie, and Jude
O'Nurkera,

**SUMMONS IN A CIVIL CASE
CIVIL ACTION NO.**

5:07-CV-108

Defendants.

TO [Name and address of defendant]:
John Reynolds
Lang Michener LLP
1500 Royal Centre
1055 West Georgian Street
Vancouver, British Columbia
V6E 4N7

YOU ARE HEREBY SUMMONED and required to serve on [Name and address of Attorney(s) for Plaintiff(s)]:

Mark A. Carter, Esq.
Dinsmore & Shohl, LLP
900 Lee Street
Huntington Square, #600
Charleston, WV 25301

an answer to the complaint which is served on you with this summons, within 20 days of service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Wally Edgell, Ph.D., CLERK OF COURT

BY: Class in Cottrell
DEPUTY CLERK

DATE: 8/24/07

AO 440 (Rev. 8/01) | SDWV/CIV-004 (4/05) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>September 10, 2007 at 2:00 p.m.</u>	
NAME OF SERVER (PRINT) <u>Sharlene Syer</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>1500 Royal Centre 1055 West Georgia Street, Vancouver, British Columbia V6E 4N7</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL <u>N/A</u>	SERVICES <u>N/A</u>	TOTAL <u>N/A</u>
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>September 13/07</u> <u>Sharlene</u> <u>Date</u> <u>Signature of Server</u> <u>280 Nelson St.</u> <u>Vancouver, BC V6B 2E2</u> <u>Address of Server</u></p>		
<p>ON THIS <u>13</u> DAY OF <u>Sept</u>, <u>07</u> THE ABOVE NAMED <u>S Syer</u> APPEARED BEFORE ME AT THE MAPLE RIDGE, B.C., CANADA AND DECLARED THE WITHIN STATEMENT TO BE TRUE IN SUBSTANCE AND IN FACT. <u>2</u></p>		
<p>T. DONALD LOCKWOOD A Notary Public in and for the Province of British Columbia, Canada</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.